No FEAR Act

Equal Employment Opportunity Data

Fiscal Year 2020, Second Quarter

U.S. Customs and Border Protection

Office of the Commissioner

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Equal Employment Opportunity Data Posted Pursuant to the No Fear Act: CBP

For 2nd Quarter 2020 for period ending March 31, 2020

1. Complaint Activity

Total	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020 (through 3/31/20)
Number of Complaints Filed	235	310	268	422	355	201
Number of Complainants	226	296	262	404	338	197
Repeat Filers	9	14	5	18	16	4

2. Complaints by Basis

Note: Complaints can be filed alleging multiple bases. The sum of the bases may not be equal to the total complaints filed.

Basis	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020 (through 3/31/20)
Race	59	67	65	101	84	50
Color	14	21	17	27	16	11
Religion	11	9	10	17	19	5
Reprisal	109	138	128	181	186	94
Sex	75	100	88	119	108	67
PDA	6	4	6	3	4	1
National Origin	49	77	57	114	70	44
Equal Pay Act	0	0	2	0	1	0
Age	82	80	66	114	95	56
Disability	55	88	59	91	102	56
Genetics	0	2	1	1	1	1
Non-EEO	15	18	16	26	15	16

3. Complaints by Issue

Note: Complaints can be filed alleging multiple issues. The sum of the issues may not be equal to the total complaints filed.

Issue	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020 (through 3/31/20)
Appointment/Hire	12	10	15	26	27	9
Assignment of Duties	25	51	46	122	68	46
Awards	8	9	8	10	10	8
Conversion to Full Time/Perm Status	0	1	0	0	0	0
Discipline: Demotion	1	0	1	6	2	1
Discipline: Reprimand	7	5	25	17	16	8
Discipline: Suspension	11	17	15	17	10	11
Discipline: Removal	2	4	3	2	11	1
Duty Hours	4	8	2	8	10	11
Perf. Eval./Appraisal	6	5	10	6	11	6
Examination/Test	2	2	2	11	11	4
Harassment: Non-Sexual	93	151	125	169	166	86
Harassment: Sexual	14	7	13	14	22	6
Medical Examination	6	9	5	13	10	6
Pay Including Overtime	7	7	15	11	22	17
Promotion/Non-Selection	48	66	62	74	58	43
Reassignment: Denied	13	11	3	11	7	4
Reassignment: Directed	2	3	4	16	14	6
Reasonable Accommodation Disability	7	21	18	24	35	19
Reinstatement	3	1	0	2	1	1
Religious Accommodation	0	3	2	4	2	2
Retirement	1	1	0	0	4	2
Sex-Stereotyping	0	1	0	0	0	0
Telework	0	3	1	3	2	5
Termination	12	11	11	24	23	11
Terms/Conditions of Employment	14	16	18	32	45	14
Time and Attendance	11	22	20	27	50	17
Training	2	9	14	12	16	6

4. Processing Time

a. Complaints Pending During Fiscal Year

Processing Time	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020 (through 3/31/20)
Average Number of Days in Investigation	166.12	181.06	228.10	233.31	225.42	232.99
Average Number of Days in Final Action	48.72	62.79	99.28	106.44	90.36	186.61

b. Complaints Pending During Fiscal Year Where Hearing was Requested

Processing Time	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020 (through 3/31/20)
Average Number of Days in Investigation	168.19	182.78	223.08	232.26	230.93	215.31
Average Number of Days in Final Action	37.35	50.85	64.64	74.00	60.86	99.63

c. Complaints Pending During Fiscal Year Where Hearing was Not Requested

Processing Time	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020 (through 3/31/20)
Average Number of Days in Investigation	160.80	182.69	240.37	246.12	233.00	257.71
Average Number of Days in Final Action	67.58	81.50	146.24	150.15	175.19	383.47

5. Complaints Dismissed by the Agency

Complaints Dismissed by Agency	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020 (through 3/31/20)
Total Complaints Dismissed by Agency	27	23	19	55	41	11
Average Days Pending Prior to Dismissal	78	104	119	136	143	160

6. Complaints Withdrawn by Complainants

Complaints Withdrawn by Complainants	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020 (through 3/31/20)
Total Complaints Withdrawn by Complainants	34	41	27	46	50	27

7. Total Final Agency Actions Finding Discrimination

a. Final Agency Actions Finding Discrimination: Breakdown by Number

Total Final Agency Actions Finding Discrimination	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020 (through 3/31/20)
Findings Without Hearing	0	6	3	1	3	3
Findings With Hearing	1	3	0	1	1	2
Total Number of Findings	1	9	3	2	4	5

b. Final Agency Actions Finding Discrimination: Breakdown by Percentage

Total Final Agency Actions Finding Discrimination	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020 (through 3/31/20)
Findings Without Hearing	0%	67%	100%	50%	75%	60%
Findings With Hearing	100%	33%	0%	50%	25%	40%

8. Findings of Discrimination Rendered by Basis

Note: Complaints can be filed alleging multiple bases. The sum of the bases may not be equal to the total complaints filed.

a. Total Number of Findings

1. Basis Breakdown by Number

Basis	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020 (through 3/31/20)
Race	0	2	1	0	0	0
Color	0	1	0	0	0	0
Religion	0	0	0	0	0	0
Reprisal	0	5	3	1	2	2
Sex	0	6	2	0	2	3
PDA	0	0	0	0	0	0
National Origin	0	3	1	0	0	1
Equal Pay Act	0	0	0	0	0	0
Age	2	2	2	0	1	0
Disability	0	3	0	0	1	1
Genetics	0	0	0	0	0	0
Non-EEO	0	1	0	0	0	1
Total	2	8	3	1	4	5

2. Basis Breakdown by Percentage

Basis	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020 (through 3/31/20)
Race	0%	25%	33%	0%	0%	0%
Color	0%	13%	0%	0%	0%	0%
Religion	0%	0%	0%	0%	0%	0%
Reprisal	0%	63%	100%	100%	50%	40%
Sex	0%	75%	67%	0%	50%	60%
PDA	0%	0%	0%	0%	0%	0%
National Origin	0%	38%	33%	0%	0%	20%
Equal Pay Act	0%	0%	0%	0%	0%	0%
Age	100%	25%	67%	0%	25%	0%
Disability	0%	38%	0%	0%	25%	20%
Genetics	0%	0%	0%	0%	0%	0%
Non-EEO	0%	13%	0%	0%	0%	20%

b. Findings After Hearing

1. Basis Breakdown by Number

Basis	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020 (through 3/31/20)
Race	0	1	0	0	0	0
Color	0	0	0	0	0	0
Religion	0	0	0	0	0	0
Reprisal	0	3	0	1	1	1
Sex	0	3	0	0	1	1
PDA	0	0	0	0	0	0
National Origin	0	3	0	0	0	1
Equal Pay Act	0	0	0	0	0	0
Age	1	2	0	0	0	0
Disability	0	1	0	0	0	1
Genetics	0	0	0	0	0	0
Non-EEO	0	0	0	0	0	0
Total	1	3	0	1	1	2

2. Basis Breakdown by Percentage

Basis	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020 (through 3/31/20)
Race	0%	33%	0%	0%	0%	0%
Color	0%	0%	0%	0%	0%	0%
Religion	0%	0%	0%	0%	0%	0%
Reprisal	0%	100%	0%	100%	100%	50%
Sex	0%	100%	0%	0%	100%	50%
PDA	0%	0%	0%	0%	0%	0%
National Origin	0%	100%	0%	0%	0%	50%
Equal Pay Act	0%	0%	0%	0%	0%	0%
Age	100%	67%	0%	0%	0%	0%
Disability	0%	33%	0%	0%	0%	50%
Genetics	0%	0%	0%	0%	0%	0%
Non-EEO	0%	0%	0%	0%	0%	0%

c. Findings Without Hearing

1. Basis Breakdown by Number

Basis	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020 (through 3/31/20)
Race	0	1	1	0	0	0
Color	0	1	0	0	0	0
Religion	0	0	0	0	0	0
Reprisal	0	2	3	0	1	1
Sex	0	3	2	0	1	2
PDA	0	0	0	0	0	0
National Origin	0	0	1	0	0	0
Equal Pay Act	0	0	0	0	0	0
Age	1	0	2	0	1	0
Disability	0	2	0	0	1	0
Genetics	0	0	0	0	0	0
Non-EEO	0	1	0	0	0	1
Total	1	5	3	0	3	3

2. Basis Breakdown by Percentage

Basis	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020 (through 3/31/20)
Race	0%	20%	33%	0%	0%	0%
Color	0%	20%	0%	0%	0%	0%
Religion	0%	0%	0%	0%	0%	0%
Reprisal	0%	40%	100%	0%	33%	33%
Sex	0%	60%	67%	0%	33%	67%
PDA	0%	0%	0%	0%	0%	0%
National Origin	0%	0%	33%	0%	0%	0%
Equal Pay Act	0%	0%	0%	0%	0%	0%
Age	100%	0%	67%	0%	33%	0%
Disability	0%	40%	0%	0%	33%	0%
Genetics	0%	0%	0%	0%	0%	0%
Non-EEO	0%	20%	0%	0%	0%	33%

9. Findings of Discrimination Rendered by Issue

a. Total Number of Findings by Issue

1. Issue Breakdown by Number

Issue	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020 (through 3/31/20)
Appointment/Hire	0	0	0	0	0	1
Assignment of Duties	0	2	2	0	1	1
Awards	0	1	0	0	1	0
Conversion to Full Time/Perm Status	0	0	0	0	0	0
Discipline: Demotion	0	0	0	0	0	0
Discipline: Reprimand	0	0	0	0	0	0
Discipline: Suspension	0	0	0	0	0	0
Discipline: Removal	0	0	0	0	0	0
Duty Hours	0	0	0	0	0	0
Perf. Eval./Appraisal	0	0	0	0	1	0
Examination/Test	0	0	0	0	0	0
Harassment: Non-Sexual	1	2	1	0	1	3
Harassment: Sexual	0	2	0	0	0	2
Medical Examination	0	0	0	0	0	0
Pay Including Overtime	0	0	0	0	0	0
Promotion/Non-Selection	1	2	0	0	1	0
Reassignment: Denied	0	0	0	0	0	0
Reassignment: Directed	0	0	0	0	1	1
Reasonable Accommodation Disability	0	1	0	0	1	0
Reinstatement	0	0	0	0	0	0
Religious Accommodation	0	0	0	0	0	0
Retirement	0	0	0	0	0	0
Sex-Stereotyping	0	0	0	0	0	0
Telework	0	0	0	0	0	0
Termination	1	0	0	0	0	0
Terms/Conditions of Employment	0	0	1	1	0	0
Time and Attendance	0	0	0	0	1	0
Training	0	0	0	0	0	0
Total	2	8	3	1	4	5

2. Issue Breakdown by Percentage

Issue	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020 (through 3/31/20)
Appointment/Hire	0%	0%	0%	0%	0%	20%
Assignment of Duties	0%	25%	67%	0%	25%	20%
Awards	0%	13%	0%	0%	25%	0%
Conversion to Full Time/Perm Status	0%	0%	0%	0%	0%	0%
Discipline: Demotion	0%	0%	0%	0%	0%	0%
Discipline: Reprimand	0%	0%	0%	0%	0%	0%
Discipline: Suspension	0%	0%	0%	0%	0%	0%
Discipline: Removal	0%	0%	0%	0%	0%	0%
Duty Hours	0%	0%	0%	0%	0%	0%
Perf. Eval./Appraisal	0%	0%	0%	0%	25%	0%
Examination/Test	0%	0%	0%	0%	0%	0%
Harassment: Non-Sexual	50%	25%	33%	0%	25%	60%
Harassment: Sexual	0%	25%	0%	0%	0%	40%
Medical Examination	0%	0%	0%	0%	0%	0%
Pay Including Overtime	0%	0%	0%	0%	0%	0%
Promotion/Non-Selection	50%	25%	0%	0%	25%	0%
Reassignment: Denied	0%	0%	0%	0%	0%	0%
Reassignment: Directed	0%	0%	0%	0%	25%	20%
Reasonable Accommodation Disability	0%	13%	0%	0%	25%	0%
Reinstatement	0%	0%	0%	0%	0%	0%
Religious Accommodation	0%	0%	0%	0%	0%	0%
Retirement	0%	0%	0%	0%	0%	0%
Sex-Stereotyping	0%	0%	0%	0%	0%	0%
Telework	0%	0%	0%	0%	0%	0%
Termination	50%	0%	0%	0%	0%	0%
Terms/Conditions of Employment	0%	0%	33%	100%	0%	0%
Time and Attendance	0%	0%	0%	0%	25%	0%
Training	0%	0%	0%	0%	0%	0%

b. Findings After Hearing

1. Issue Breakdown by Number

Issue	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020 (through 3/31/20)
Appointment/Hire	0	0	0	0	0	1
Assignment of Duties	0	1	0	0	1	1
Awards	0	1	0	0	1	0
Conversion to Full Time/Perm Status	0	0	0	0	0	0
Discipline: Demotion	0	0	0	0	0	0
Discipline: Reprimand	0	0	0	0	0	0
Discipline: Suspension	0	0	0	0	0	0
Discipline: Removal	0	0	0	0	0	0
Duty Hours	0	0	0	0	0	0
Perf. Eval./Appraisal	0	0	0	0	0	0
Examination/Test	0	0	0	0	0	0
Harassment: Non-Sexual	1	0	0	0	0	1
Harassment: Sexual	0	0	0	0	0	0
Medical Examination	0	0	0	0	0	0
Pay Including Overtime	0	0	0	0	0	0
Promotion/Non-Selection	0	2	0	0	1	0
Reassignment: Denied	0	0	0	0	0	0
Reassignment: Directed	0	0	0	0	0	1
Reasonable Accommodation Disability	0	0	0	0	0	0
Reinstatement	0	0	0	0	0	0
Religious Accommodation	0	0	0	0	0	0
Retirement	0	0	0	0	0	0
Sex-Stereotyping	0	0	0	0	0	0
Telework	0	0	0	0	0	0
Termination	1	0	0	0	0	0
Terms/Conditions of Employment	0	0	0	1	0	0
Time and Attendance	0	0	0	0	1	0
Training	0	0	0	0	0	0
Total	1	3	0	1	1	2

2. Issue Breakdown by Percentage

Issue	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019 (through 3/31/20)
Appointment/Hire	0%	0%	0%	0%	0%	50%
Assignment of Duties	0%	33%	0%	0%	100%	50%
Awards	0%	33%	0%	0%	100%	0%
Conversion to Full Time/Perm Status	0%	0%	0%	0%	0%	0%
Discipline: Demotion	0%	0%	0%	0%	0%	0%
Discipline: Reprimand	0%	0%	0%	0%	0%	0%
Discipline: Suspension	0%	0%	0%	0%	0%	0%
Discipline: Removal	0%	0%	0%	0%	0%	0%
Duty Hours	0%	0%	0%	0%	0%	0%
Perf. Eval./Appraisal	0%	0%	0%	0%	0%	0%
Examination/Test	0%	0%	0%	0%	0%	0%
Harassment: Non-Sexual	100%	0%	0%	0%	0%	50%
Harassment: Sexual	0%	0%	0%	0%	0%	0%
Medical Examination	0%	0%	0%	0%	0%	0%
Pay Including Overtime	0%	0%	0%	0%	0%	0%
Promotion/Non-Selection	0%	67%	0%	0%	100%	0%
Reassignment: Denied	0%	0%	0%	0%	0%	0%
Reassignment: Directed	0%	0%	0%	0%	0%	50%
Reasonable Accommodation Disability	0%	0%	0%	0%	0%	0%
Reinstatement	0%	0%	0%	0%	0%	0%
Religious Accommodation	0%	0%	0%	0%	0%	0%
Retirement	0%	0%	0%	0%	0%	0%
Sex-Stereotyping	0%	0%	0%	0%	0%	0%
Telework	0%	0%	0%	0%	0%	0%
Termination	100%	0%	0%	0%	0%	0%
Terms/Conditions of Employment	0%	0%	0%	100%	0%	0%
Time and Attendance	0%	0%	0%	0%	100%	0%
Training	0%	0%	0%	0%	0%	0%

c. Findings Without Hearing

1. Issue Breakdown by Number

Issue	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020 (through 3/31/20)
Appointment/Hire	0	0	0	0	0	0
Assignment of Duties	0	1	2	0	0	0
Awards	0	0	0	0	0	0
Conversion to Full Time/Perm Status	0	0	0	0	0	0
Discipline: Demotion	0	0	0	0	0	0
Discipline: Reprimand	0	0	0	0	0	0
Discipline: Suspension	0	0	0	0	0	0
Discipline: Removal	0	0	0	0	0	0
Duty Hours	0	0	0	0	0	0
Perf. Eval./Appraisal	0	0	0	0	1	0
Examination/Test	0	0	0	0	0	0
Harassment: Non-Sexual	0	2	1	0	1	2
Harassment: Sexual	0	2	0	0	0	2
Medical Examination	0	0	0	0	0	0
Pay Including Overtime	0	0	0	0	0	0
Promotion/Non-Selection	1	0	0	0	0	0
Reassignment: Denied	0	0	0	0	0	0
Reassignment: Directed	0	0	0	0	1	0
Reasonable Accommodation Disability	0	1	0	0	1	0
Reinstatement	0	0	0	0	0	0
Religious Accommodation	0	0	0	0	0	0
Retirement	0	0	0	0	0	0
Sex-Stereotyping	0	0	0	0	0	0
Telework	0	0	0	0	0	0
Termination	0	0	0	0	0	0
Terms/Conditions of Employment	0	0	1	0	0	0
Time and Attendance	0	0	0	0	0	0
Training	0	0	0	0	0	0
Total	1	5	3	0	3	3

2. Issue Breakdown by Percentage

Issue	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020 (through 3/31/20)
Appointment/Hire	0%	0%	0%	0%	0%	0%
Assignment of Duties	0%	20%	67%	0%	0%	0%
Awards	0%	0%	0%	0%	0%	0%
Conversion to Full Time/Perm Status	0%	0%	0%	0%	0%	0%
Discipline: Demotion	0%	0%	0%	0%	0%	0%
Discipline: Reprimand	0%	0%	0%	0%	0%	0%
Discipline: Suspension	0%	0%	0%	0%	0%	0%
Discipline: Removal	0%	0%	0%	0%	0%	0%
Duty Hours	0%	0%	0%	0%	0%	0%
Perf. Eval./Appraisal	0%	0%	0%	0%	33%	0%
Examination/Test	0%	0%	0%	0%	0%	0%
Harassment: Non-Sexual	0%	40%	33%	0%	33%	67%
Harassment: Sexual	0%	40%	0%	0%	0%	67%
Medical Examination	0%	0%	0%	0%	0%	0%
Pay Including Overtime	0%	0%	0%	0%	0%	0%
Promotion/Non-Selection	100%	0%	0%	0%	0%	0%
Reassignment: Denied	0%	0%	0%	0%	0%	0%
Reassignment: Directed	0%	0%	0%	0%	33%	0%
Reasonable Accommodation Disability	0%	20%	0%	0%	33%	0%
Reinstatement	0%	0%	0%	0%	0%	0%
Religious Accommodation	0%	0%	0%	0%	0%	0%
Retirement	0%	0%	0%	0%	0%	0%
Sex-Stereotyping	0%	0%	0%	0%	0%	0%
Telework	0%	0%	0%	0%	0%	0%
Termination	0%	0%	0%	0%	0%	0%
Terms/Conditions of Employment	0%	0%	33%	0%	0%	0%
Time and Attendance	0%	0%	0%	0%	0%	0%
Training	0%	0%	0%	0%	0%	0%

10. Pending Complaints Filed in Previous Fiscal Years by Status

a. Total Complaints and Complainants

Pending Complaints Filed in Previous Years by Status	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020 (through 3/31/20)
Total Complaints from Previous Fiscal Year	223	240	330	356	458	653
Total Complainants	188	214	295	317	416	583

b. Number of Complaints Pending

Status	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020 (through 3/31/20)
Investigation	0	0	3	2	52	107
ROI Issued, Pending Complainant's Action	1	0	5	1	1	18
Hearing	210	215	296	316	331	378
Final Agency Action	11	24	19	32	71	113
Appeal with EEOC Office of Federal Operations	55	69	84	118	152	167

11. Complaint Investigations

Complaint Investigation	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020 (through 3/31/20)
Pending Complaints Where Investigations Exceed Required Time Frames	0	0	8	3	9	14